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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,050	12/29/2000	Masayuki Komori	1081.1100 (JDH)	6709

21171 7590 08/27/2003

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,050

Applicant(s)

Masayuki, Komori

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/22/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-9 AND 12-15 is/are rejected.
- 7) ☒ Claim(s) 10 AND 11 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Examiner Pierre Eddy Elisca
United States Department of Commerce
Patent and Trademark Office
Washington, D.C. 20231

DETAILED ACTION

1. This Office action is in response to Applicant's amendment, filed on 07/22/2003.
2. Claims 1-15 are remained and claim 16 is added.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9 and 12-15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Herman et al. (U.S. Pat. No. 6,341,353) in view of Houvener et al. (U.S. pat. No. 6,202,055).

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As per claims 1, 5-7, 9 and 12 Herman substantially discloses a smart electronic receipt system/method that provides intelligent receipts, called smart receipts (which is interpreted as Applicant's claimed invention wherein it is stated that managing transaction and issuing receipt information), comprising the steps of :

issuing an identification code that comprises receipt information and predetermined password information, the receipt information comprising a serial (or receipt) number that indicates the order in which a predetermined transaction with a user was received (see., abstract, specifically wherein it is stated that smart receipt provides the customer with detailed information about an online purchase in a standardized format, and the password can also be interpreted as an owner ID 726 for entering an identification code associated with the owner of the object see., col 9, lines 37-58, specifically col 6, lines 17-26).

It is to be noted that Herman fails to explicitly disclose the step of displaying an identification code on a terminal. Houvener discloses a display means 6 of a point of identification that displays credit approval code (or identification code) see., col 6, lines 59-67, col 7, lines 1-7. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the smart electronic receipt of Herman by including the limitation detailed above as taught by Houvener because such modification would verify the identity of the user initiating the financial transaction and display it to the proper user.

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As per claim 2, Herman discloses the claimed method of managing transaction numbers according to claim 1, wherein the network is Internet (see., Figs 1-3).

As per claim 3, Herman discloses the claimed method of managing transaction numbers according to claim 2, further comprising the step of: URL of Internet, on the terminal (see., fig 10, and the step of displaying the transaction on the user or customer terminal, col 40, lines 20-40). It is to be noted that Herman fails to explicitly disclose the step of displaying an identification code on a terminal. Houvener discloses a display means 6 of a point of identification that displays credit approval code (or identification code) see., col 6, lines 59-67, col 7, lines 1-7. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the smart electronic receipt of Herman by including the limitation detailed above as taught by Houvener because such modification would verify the identity of the user initiating the financial transaction and display it to the proper user.

As per claim 4, Herman discloses the claimed method of managing transaction numbers according to claim 1, wherein the receipt information contains date and time (see., abstract, col 1, lines 58-67, col 2, lines 1-39, it is obvious to recognize that the receipt identification code also includes data and time in order to verify the time and date of sale. However, Houvener discloses a display means 6 of a point of identification that displays credit approval code (or identification code) see., col 6, lines 59-67, col 7, lines 1-7. Therefore, it would have been obvious to a person of ordinary skill in the art

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at the time the invention was made to modify the smart electronic receipt of Herman by including the limitation detailed above as taught by Houvener because such modification would verify the identity of the user initiating the financial transaction and display it to the proper user.

As per claim 8, Herman discloses the claimed method of managing transaction numbers according to claim 6. It is to be noted that Herman discloses the identification code is invalidated when a predetermined period of time elapses. However, Houvener discloses a display means 6 of a point of identification that displays credit approval code (or identification code) see., col 6, lines 59-67, col 7, lines 1-7, and the step of invalidating when a predetermined period of time elapses is disclosed in col 3, lines 5-42, specifically wherein it is stated that point of identification terminal to indicate that at least one of the displayed digital images matches (unmatched or invalidated) the appearance of the person initiating the transaction, it is obvious to realize that this process of unmatched or invalidated identity requires a time interval. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the smart electronic receipt of Herman by including the limitation detailed above as taught by Houvener because such modification would verify the identity of the user initiating the financial transaction and display it to the proper user.

As per claims 13-15, Herman substantially discloses a smart electronic receipt system/method that provides intelligent receipts, called smart receipts (which is interpreted as Applicant's claimed

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invention wherein it is stated that managing transaction and issuing receipt information), comprising the steps of :

an issuance unit to issue an identification code that comprising receipt information and predetermined password information, the receipt information comprising a serial (or receipt) number that indicates the order in which a predetermined transaction with a user was received (see., abstract, specifically wherein it is stated that smart receipt provides the customer with detailed information about an online purchase in a standardized format, and the password can also be interpreted as an owner ID 726 for entering an identification code associated with the owner of the object see., col 9, lines 37-58, specifically col 6, lines 17-26). It is to be noted that Herman fails to explicitly disclose the process of displaying an identification code on a terminal. Houvener discloses a display means 6 of a point of identification that displays credit approval code (or identification code) see., col 6, lines 59-67, col 7, lines 1-7. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the smart electronic receipt of Herman by including the limitation detailed above as taught by Houvener because such modification would verify the identity of the user initiating the financial transaction and display it to the proper user.

CLAIM OBJECTION

5. Claims 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Claim 16, line 3, Applicant is advised to remove the word “a transaction number” and add “an identification code”. Appropriate correction is suggested.

RESPONSE TO ARGUMENTS

6. Applicant's arguments filed on 07/22/2003 have been fully considered but they are moot in view of new ground (s) of rejection. Necessitated by amendment.

REMARKS

7. In response to Applicant's argument, Applicant argues that the receipt in Herman is issued after a transaction is complete, whereas the receipt information in the present invention is issued while the transaction is in progress. However, the Examiner respectfully disagrees since Applicant's limitation wherein said “receipt information is issued while the transaction is in progress” is nowhere to be found in the claims, and therefore, Applicant argument is moot.

ALLOWABLE SUBJECT MATTER

8. Claim 16 is allowed over the prior art of record.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231


The Official Fax Number For TC-3600 is:

(703) 305-7687

S rial Number: 09/750,050

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Pierre Eddy Elisca

Patent Examiner

August 12, 2003